

ORIGINAL

INDIANA UTILITY REGULATORY COMMISSION

Final Rulemaking


IURC RM #06-08

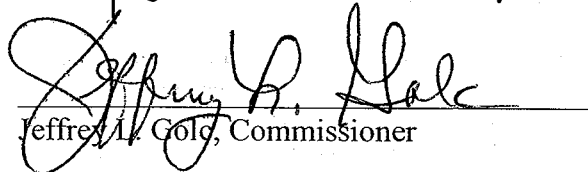
LSA #06-514(F)

Amending 170 IAC 1-1.5-1 to Exempt
a Video Franchise Application or Notice of Change Form Filed Under Ind. Code 8-1-34
from the Ex Parte Rules of the Commission.

Upon prior publication of notices, an initial public hearing held on February 8, 2007, at 9:30 a.m., E.S.T. (local time) in Room CC32 of the Indiana Government Center-South, 402 W. Washington Street, Indianapolis, Indiana, and a second public hearing held on March 22, 2007, at 9:30 a.m., E.D.T. (local time) in Room CC32 of the Indiana Government Center-South, 402 W. Washington Street, Indianapolis, Indiana, as required by the provisions of I.C. 4-22-2-1, *et seq.*, the Indiana Utility Regulatory Commission, on March 28, 2007, at 2:00 p.m. E.D.T. in Room E306, Indiana Government Center-South, Indianapolis, Indiana at which time a majority of members of said Commission were present, adopted the foregoing rule.

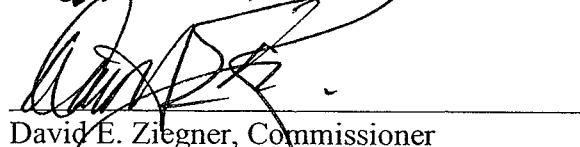
The Secretary is hereby directed to submit the aforesaid rule to the Attorney General and Governor of Indiana, for their approval of same, and thereafter to submit the aforesaid rule to the publisher, Indiana Register.


David Scott Hardy, Chairman

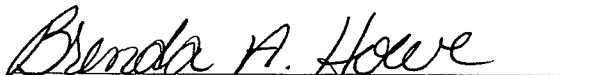

Jeffrey A. Gold, Commissioner

ABSENT
Larry S. Landis, Commissioner


Gregory D. Server, Commissioner


David E. Ziegner, Commissioner

ATTEST:


Brenda A. Howe, Secretary to the Commission

Date: **MAR 28 2007**

TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

- Final Rule
LSA Document #06-514 (F)

DIGEST

Amends 170 IAC 1-1.5-1 to exempt a video franchise application or notice of change form filed under IC 8-1-34 from the ex parte rules of the commission. Effective 30 days after filing with the Publisher.

170 IAC 1-1.5-1

SECTION 1. 170 IAC 1-1.5-1 IS AMENDED TO READ AS FOLLOWS:

170 IAC 1-1.5-1 Definitions

Authority: IC 8-1-1-3

Affected: IC 8-1-1-5; IC 8-1-2-42; IC 8-1-2-61.5; IC 8-1-34

Sec. 1. (a) As used in this rule, "commission" refers to the Indiana utility regulatory commission.

(b) As used in this rule, "filing a report" means the filing of written testimony or the presentation of oral testimony, or both, by a technical employee in a pending proceeding.

(c) As used in this rule, "proceeding" means a formally docketed proceeding before the commission. The term does not include any of the following:

- (1) A rulemaking.
- (2) A thirty (30) day filing under IC 8-1-2-42(a).
- (3) A filing under IC 8-1-2-61.5.
- (4) A petition under 170 IAC 7-4.
- (5) An informal investigation.
- (6) An investigation and disposition by the consumer affairs division of the commission.
- (7) An application or notice of change form filed under IC 8-1-34.**

(d) As used in this rule, "technical employee" means a professional employee of the commission working in the accounting, economic, engineering, or other professional technical advisory staff division. The term includes the utilities director. (*Indiana Utility Regulatory Commission; 170 IAC 1-1.5-1; filed Dec 9, 1996, 10:00 a.m.: 20 IR 938; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233*)